

JEFFERSON COUNTY COMMISSIONERS  
COURTHOUSE, BOX H  
BOULDER, MT 59632  
PHONE 406-225-4025  
FAX 406-225-4148

TOM LYTHGOE, CHAIR

KEN WEBER

DAVE KIRSCH

**PROCEEDING OF THE BOARD OF COMMISSIONERS  
COUNTY OF JEFFERSON, STATE OF MONTANA  
March 17, 2009**

**Present:** Commissioners Lythgoe, Weber and Kirsch

**CORRESPONDENCE**

Commissioner Lythgoe noted receipt of an e-mail from MACo which contained a list of the stimulus payments based on gas tax.

Correspondence

Commissioner Weber noted receipt of an e-mail from Kerry White regarding an ad to be placed in five major newspapers across the state opposing the partnership strategy. Commissioner Lythgoe stated that he would recommend adding our name. Commissioner Weber noted that the ad gives some examples of other options to look at, such as national protection areas, conservation areas, etc. All agree that our name should be added to the advertisement.

Commissioner Lythgoe noted the receipt of an e-mail from Bonnie with an overview of the amounts to be included in the Intercap Loan.

Commissioner Lythgoe stated that we are getting a lot of stimulus information through the e-mail. Commissioner Lythgoe asked Commissioner Kirsch that, as he meets with Scott Mendenhall and Terry Murphy every Tuesday, he keeps reminding them to keep us apprised of any hearings coming up.

Commissioner Lythgoe noted receipt of an e-mail from Cathy Landis, Silver Star Families of Montana, regarding Silver Star Banner Day. They would like Jefferson County to issue a proclamation for this day. They are trying to get 5,000 cities and counties across the country to take part in Silver Star Banner Day this year, which recognizes wounded and ill veterans.

Commissioner Lythgoe noted that there will be a meeting on April 22<sup>nd</sup> at 1:30 in Townsend to plan for MACo 100<sup>th</sup> anniversary.

Commissioner Lythgoe noted receipt of an e-mail from Holly Luct, Senator Baucus' local staff, AAA minutes shell.wpd

regarding a meeting on Thursday regarding the stimulus legislation. The meeting will be held at the Helena Chamber of Commerce.

### **CALENDAR REVIEW**

- 3/18 Montana Tunnels Mine tour - 12:30  
JLDC - 2:00
- 3/19 Survey Committee - 9:00  
Meeting with Great West - 10:30  
Helena Chamber - 1:30  
Headwaters - Butte - 3:00  
RMDC - Helena - 3:30  
Library subcommittee - 6:00
- 3/23 Center for Mental Health - Great Falls 0 10:30

### **COMMISSION REPORTS**

#### **ASH GROVE**

Commissioner Lythgoe reported that he met with Ash Grove that morning regarding the discovery of tourmalite in their exploration. There are two types of tourmalite, one that has asbestos and one that doesn't. Ash Grove doesn't have the ability to test for this, so a sample is being sent for testing. They should have the results in 10 to 14 days. They are currently shut down for maintenance. Ash Grove will stay away from in either event, as tourmalite is high in magnesium, which is not good for cement. Commissioner Lythgoe stated that Ash Grove acted very responsibly in getting the notice out and getting the advisory group together so quickly.

#### **LIBRARY BOARD**

Commissioner Weber reported that he went to the library board meeting Thursday night. The board will be looking at budgets in the next month or so.

#### **ELKHORN MINE CITIZEN'S GROUP**

Commissioner Kirsch reported that on the 11<sup>th</sup> he attended the Elkhorn Mine Citizens Advisory meeting. They are still hanging on; they have had a number of people look at the mine, including Barrack. They are interested, but in a holding pattern at this time. The mine is down to two staff, and will probably be one in the near future. They continue to work in weed control and in completion of the road fix.

#### **RMDC BOARD ORIENTATION**

Commissioner Kirsch reported that he attended the Rocky Mountain Board orientation. New members were given an in-depth view of what RMDC is involved in, which is a lot.

#### **YOUTH WORK PROGRAM**

Commissioner Kirsch reported that on the 13<sup>th</sup> he met with the summer youth program. They are hoping to bring this to Boulder and to get five young people between the ages of 15 – 22 for part-time or full-time jobs for low income families. Kids can do anything within the child labor laws

and any projects are eligible. He said that this looks like a good program and would put five individuals to work. They went to the high school and talked to the advisor about the program.

### **ITEMS FOR COMMISSIONERS ACTION OR REVIEW**

#### **DISCUSS AND DECIDE ON RENEWING THE LEASE WITH ELKHORN MOUNTAIN HEALTH SERVICES FOR JEFFERSON COUNTY PUBLIC HEALTH DEPARTMENT OFFICE SPACE**

Molly Molitor, office manager, stated that she brought a copy of the contract. The Health Board had met previously and agreed to keep the same terms. She has drawn up a new contract with corrected dates. Commissioner Weber moved to sign the contract with Elkhorn Mountain Health Services for the Jefferson County Health Department office space. Commissioner Kirsch seconded. The motion carried. Molly stated that she will have the Health Board sign the contracts at their meeting on the 26<sup>th</sup>, and will then get the contracts to Bonnie for Elkhorn Mountain Health Services to sign.

Molly noted that she also has a MOU with MDC for emergency services which needs to be signed. Commissioner Weber moved to sign. Commissioner Kirsch seconded. The motion carried.

#### **DISCUSS AND DECIDE ON SOUTH HOLMES GULCH RID REQUEST FOR A LOAN**

Commissioner Lythgoe stated that he thinks they will need to put this off for a couple weeks. The Commission needs to confirm with Frank Stock regarding what payments and interest would be for a 10-year loan. Commissioner Weber stated that he gave the contact information for Frank Stock to Great West.

#### **DISCUSS AND DECIDE ON PARTICIPATION WITH MADISON COUNTY FOR THE PURCHASE OF A VEHICLE FOR SHARED EXTENSION AGENT**

Commissioner Lythgoe stated that per our agreement with Madison County is that this is a cost that they would normally pick up 100%. When they entered the agreement however, he doesn't think that anyone was thinking that they would be paying over \$11,000 for a vehicle.

Commissioner Weber stated that when we made the agreement, the vehicle they provided a truck that they purchased for between \$6,000 and \$8,000, much less than the current figure of \$11,700. It seems appropriate that we help out. Andrea is doing a great job and putting a lot more miles on the vehicle than the previous agent.

Commissioner Kirsch said that it looks to him that we should take part in this.

Commissioner Lythgoe asked what they think is appropriate. Commissioner Weber said that he likes the \$4,000 amount. This is the amount over and above what they have paid in the past, and seems fair to him.

Commissioner Weber moved to grant Madison County \$4,000 for the purchase of vehicle, from PILT. Commissioner Kirsch seconded. The motion carried.

#### **RESOLUTION 09-2009 ESTABLISHING BURNING SEASON**

Commissioner Lythgoe read the resolution as follows:

**RESOLUTION 09-2009  
ESTABLISHING BURNING SEASON**

**WHEREAS**, Section 7-33-2205, MCA, provides that the county governing body may, at its discretion, establish fire seasons annually, during which time no person may ignite or set any forest fire, slash-burning fire, land-clearing fire, debris burning fire, or open fire within the County protection areas on any forest, range or cropland without having obtained an official written permit to ignite or set such fire from the recognized protection agency for that protection area; and

**WHEREAS**, Section 7-33-2206, MCA, provides that any person who ignites or sets any forest fire, slash-burning fire, land-clearing fire, debris burning fire, or open fire within the County protection areas on any forest, range or croplands without having obtained an official written permit to ignite or set such fire is guilty of a misdemeanor punishable by a fine not to exceed \$500.00 or be imprisoned in the county jail for any term not to exceed six (6) months, or both.

**NOW, THEREFORE, BE IT RESOLVED**, that the Jefferson County Board of County Commissioners establish the 2009-2010 fire season for Jefferson County from the date of this resolution to February 28, 2010. During the period from March 1, 2009 through November 30, 2009, a person must obtain a permit from Jefferson County before igniting any fire referred to above. Any burning during the period from December 1, 2009 through February 28, 2010, an additional permit must be obtained from the State of Montana Department of Environmental Quality authorizing burning during that period. This additional documentation must be presented to the recognized issuing agency for Jefferson County before a permit may be issued. Burning Permits can be written for a one (1) year period, but the permittee must call the appropriate dispatch center each time before burning. Permits are available at the following locations:

Marks-Miller Post and Pole  
15 Lump Gulch Rd.  
Clancy, MT 59634

Montana City Store  
1 Jackson creek Rd.  
Montana City, MT 59634

Jefferson County Sheriff's Office  
110 S Washington  
Boulder, MT 59632

Whitehall Town Hall  
PO Box 539  
Whitehall, MT 59759

**DATED** this 17<sup>th</sup> day of March, 2009, nuc pro tunc.

**ATTEST:**

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**BONNIE RAMEY  
CLERK AND RECORDER**

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**TOMAS E. LYTHGOE, CHAIR**

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**KEN WEBER, COMMISSIONER**

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**DAVE KIRSCH, COMMISSIONER**

Commissioner Weber moved to adopt. Commissioner Kirsch seconded. The motion carried.

**APPOINT BOARD MEMBER**

Commissioner Lythgoe moved to appoint Bernard McCarthy to the Health Board.  
Commissioner Weber seconded. The motion carried.

**MEETING ADJOURNED**

**ATTEST:**

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**BONNIE RAMEY  
CLERK AND RECORDER**

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**TOMAS E. LYTHGOE, CHAIR**

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**KEN WEBER, COMMISSIONER**

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**DAVE KIRSCH, COMMISSIONER**